



***Town of Tyngsborough  
Conservation Commission***

25 Bryants Lane  
Tyngsborough, Massachusetts 01879-1003  
Office: (978) 649-2300 ext 116  
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Minutes  
June 14, 2011

**APPROVED**

**Present:**

<b>ES:</b> Ed Smith	<b>JN:</b> John Nappi	<b>JE:</b> Jerry Earl	<b>BM:</b> Brian Martin
<b>LG:</b> Lucy Gertz	<b>LB:</b> Linda Bown	<b>JK:</b> Jeff Kablik	<b>MM:</b> Matt Marro, Conservation Director

**7:00pm Meeting opened** by Ed Smith

**7:02pm 68 Willowdale Ave. (M32, P60, L0) – Request for Determination of Applicability** for the construction of an 8' x 20' deck within the buffer zone.

**JK:** Motion to waive the reading of the legal ad

**JE:** 2<sup>nd</sup> the motion

**In Favor: 7 Opposed: 0**

**Passes: 7-0**

**JK:** Motion to waive the reading of the abutters list

**JE:** 2<sup>nd</sup> the motion

**In Favor: 7 Opposed: 0**

**Passes: 7-0**

The applicant for this filing was present at the May 24, 2011 meeting in error. The Commission was able to review his application at that time and ask any questions. MM reported that this project is within the buffer zone, however, it will not alter any resource areas. Therefore, he recommends a Negative Determination. There were no abutters present at this hearing.

**JK:** Motion to close the public hearing

**LB:** 2<sup>nd</sup> the Motion

**In Favor: 7 Opposed: 0**

**Passes: 7-0**

**JK:** Motion to approve a Negative Determination for the construction of a 8' x 20' deck at 68 Willowdale Ave.

**JE:** 2<sup>nd</sup> the motion

**In Favor: 7 Opposed: 0**

**Passes: 7-0**

**7:10pm      Bowers Ave. Empty Lot: 9 Bowers Ave. (M32A, P52, L0) – Request for Determination of Applicability** for the proposed construction of a 20' x 20' deck with two 20' x 3' dock extensions.

**JK:** Motion to waive the reading of the legal ad

**JE:** 2<sup>nd</sup> the motion

**In Favor: 7   Opposed: 0**

**Passes: 7-0**

**JK:** Motion to waive the reading of the abutters list

**JE:** 2<sup>nd</sup> the motion

**In Favor: 7   Opposed: 0**

**Passes: 7-0**

Chairman Ed Smith recused himself from this hearing as he is a direct abutter and the project's designer/builder. Applicant David Trearchis appeared before the Commission regarding this project. There will be no excavation of the beach front, and the dock itself will not be attached to any sonar tubes. The dock design is such that it will be supported on 55 gallon drums filled with concrete to weigh it down. The posts to be placed in the water would not be creosote treated. The construction of the dock would be done off-site and then rolled into position in the lake. MM indicated that Lake Mascuppic is not a Great Pond and therefore, there is no Chapter 91 Waterway permit required. He went on to say that there is little to no earth work required and recommended a Negative Determination.

**LB:** Motion to close the public hearing

**JE:** 2<sup>nd</sup> the Motion

**In Favor: 6   Opposed: 0   Abstain: 1**

**Passes: 6-0-1**

**LB:** Motion to approve a Negative Determination for the construction of a 20' x 20' deck with two 20' x 3' dock extensions at 9 Bowers Ave.: Empty Lot.

**JE:** 2<sup>nd</sup> the motion

**In Favor: 6   Opposed: 0   Abstain: 1**

**Passes: 6-0-1**

## **Director's Determinations**

**186 Frost Road (Red Pine Terrace)** – Re-seed and stabilize all cleared areas. Plant shrubs, hemlocks, and other trees. Add picnic tables, and create a walking path.

MM reported that the plans drawn up for the Housing Authority to remedy their violation would sufficiently re-establish the area that was removed. The work would be done just outside of the floodplain. The work would be paid for by the Housing Authority and Varney Logging, as they are equally liable for the violation. MM went on to say that once complete, it should be a nice place for the area residents to walk and enjoy the surroundings.

**JK:** Motion to issue a Director's Determination for 186 Frost Road

**JE:** 2<sup>nd</sup> the motion

**In Favor: 7 Opposed: 0**

**Passes: 7-0**

## **Minutes/Sign Forms/Other Business**

### **Minutes**

**BM:** Motion to approve and release the executive session minutes as written from April 12, 2011.

**LB:** 2<sup>nd</sup> the motion

**In Favor: 6 Opposed: 0 Abstain: 1**

**Passes: 6-0-1**

**JE:** Motion to approve the minutes with one amendment from May 24, 2011.

**LB:** 2<sup>nd</sup> the motion

**In Favor: 6 Opposed: 0 Absent: 0**

**Passes: 6-0-1**

### **8:00pm**

**JE:** Motion to adjourn

**LB:** 2<sup>nd</sup> the motion

**In Favor: 7 Opposed: 0**

**Passes: 7-0**

Respectfully submitted  
Pamela Berman, Administrative Assistant